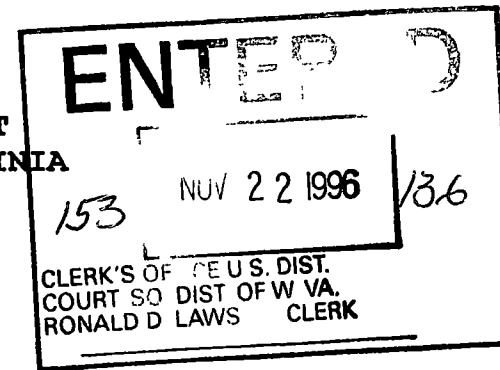


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA

BECKLEY



FREDERICK SHAWNEE CARTER,

Plaintiff,

v.

CIVIL ACTION NO. 5:96-0436

LEE JONES,

Defendant.

O R D E R

Pending before the Court are four motions:

1. Motion by Plaintiff to Extend Time to Answer Interrogatories, filed on September 13, 1996 (document # 24);
2. Motion by Defendant for an Order to Compel Discovery, filed on October 10, 1996 (document # 26);
3. Motion by Plaintiff for Enlargement of Time Frame in which to be deposed, filed October 15, 1996 (document # 27); and
4. Motion by Defendant to Compel Discovery, and/or to Dismiss, filed on October 31, 1996 (document # 28).

By Order entered November 15, 1996, the Court scheduled a hearing on the Motions, to be held on November 22, 1996. Appearing were Plaintiff, pro se, and Defendant, by counsel, Rodney A. Teal.

At the hearing, rulings were made on the motions, as set forth in this Order. It is hereby ORDERED that

1. Plaintiff's Motion to Extend Time to Answer Interrogatories is granted. The answers shall be served no later than Friday, November 29, 1996.


2. Defendant's Motion for an Order to Compel Discovery is granted.

3. Plaintiff's Motion for Enlargement of Time Frame in which to be deposed is granted to the extent that his deposition shall take place on Friday, December 13, 1996, and otherwise denied. Defendant shall file and serve the appropriate Notice of Deposition.

4. Defendant's Motion to Compel Discovery is granted, and Defendant's alternative Motion to Dismiss is denied without prejudice.

The Clerk is requested to mail copies of this Order to Plaintiff and to counsel of record.

ENTER: November 22, 1996.

  
Mary Stanley Feinberg  
United States Magistrate Judge